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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/208,998 12/11/98 GANESAN

R 33500-029

LM02/0317
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WASHINGTON DC 20036-3703

EXAMINER

RETTA, Y

ART UNIT	PAPER NUMBER
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2764

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DATE MAILED:
03/17/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/208,998

Applicant(s)
Ganesan et al.

Examiner
Yehdega Retta

Group Art Unit
2764



☒ Responsive to communication(s) filed on Dec 11, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-23 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-23 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13 recites the limitation "the first input and the second input" in lines 2 and 3.

There is insufficient antecedent basis for this limitation in the claim.

The first input and second input was not cited in previous claims (claims 9-11).

Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371[©] of this title before the invention thereof by the applicant for patent.

4. Claims 1, 2, 4-10 and 12-17 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kravitz U.S. Patent No. 6029150.

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5. Regarding claims, 1, 2, 9, 10 and 13, Kravitz teaches seller receiving information identifying product to be purchased from buyer, purchase price to be paid by transfer of fund; transmitting to financial institute device, at which the purchaser account is maintained, authorization to pay seller; determining if the fund in the purchaser account is sufficient; transmitting authorization of the financial institute for the seller to proceed with the delivery of the product (see col. 12 line 45-66 and col. 24 line 33 to col. 25 line 3).
6. Regarding claims 4 and 12, , Kravitz teaches buyer transmitting authorization of the purchase to the second device (see col. 13 lines 12-26).
7. Claims 5 and 6, 15, are rejected as stated above in claim 1.
8. Regarding claim 7 and 16, Kravitz teaches transmitting from the first device to the second device, a notice of delivery; directing the transfer of the funds to the seller responsive to receipt of the notice of delivery (see col. 8 lines 57-63).
9. Regarding claims 8 and 17, Kravitz teaches performing in real time and the Internet (see col. 11 lines 51-60).
10. Claim 14 is rejected as stated above in claim 1.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kravitz

U.S. Patent No. 6029150.

13. Regarding claims 18-23, Kravitz teaches computer programing stored on a computer readable storage medium; generating a signal to establish first link with a first seller; receive from the seller information identifying plurality of products and prices associated with them (see col. 24 lines 33-52); receiving first input from purchaser selecting a product; automatically generating a signal to establish a second link with financial institute with which the account is maintained; transmitting to the first network station second information identifying the selected product and identity of the purchaser; transmitting to the second station information identifying the selected product, the purchase price and identity of the purchaser; receiving from the second station a request to approve payment of the purchase price; receiving second input from the purchaser approving payment of the purchase price; transmitting to a second station purchaser approval of the payment; receiving and displaying an account statement indicating that the funds have been transferred from the account by the financial institute to the seller (see col. 8 lines 57-63, col. 12 line 34 to col. 13 line 47, col. 24 line 33 to col. 25 line 3). Kravitz does not specifically disclose plurality of payment options. However official notice is taken that is old and well known in the art of e-commerce to offer plurality of payment options. It would have

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been obvious to one of ordinary skill in the art at the time of applicant's invention was made to include plurality of payment options in order to attract more customers.

14. Regarding claims 3 and 11, Kravitz does not specifically disclose plurality of payment options. However official notice is taken that is old and well known in the art of e-commerce to offer plurality of payment options. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to include plurality of payment options in order to attract more customers.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Boies et al., U.S. Patent No. 6006200, method of providing an identifier for transactions

Goldhaber et al. U.S. Patent No. 5855008, attention brokerage.

Low et al. 5420926, anonymous credit card transactions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (703) 305-0436. The examiner can normally be reached on Monday-Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

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(703) 308-5397, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Examiner
Yehdega Retta
Art Unit 2764
March 11, 2000



MELANIE A. KEMPER
PRIMARY EXAMINER